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8 ANTHONY HILL,  
9 Plaintiff,  
10 v.  
11 NICHOLAS POBLETE,  
12 Defendant.

Case No. 22-cv-04159-VKD

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**ORDER TO SHOW CAUSE RE  
DISMISSAL**

17 Re: Dkt. No. 31

18 On August 8, 2023, the parties filed a notice informing the Court that they had reached a  
19 settlement in this matter. Dkt. No. 31. All previously scheduled deadlines and appearances in the  
20 case are vacated.

21 On or before **September 8, 2023**, the parties shall file a stipulated dismissal pursuant to  
22 Fed. R. Civ. P. 41(a)(1)(A)(ii). Rule 41(a)(1)(A) permits the plaintiff to voluntarily dismiss a case  
without a court order (i) by notice if the defendants have not filed an answer or motion for  
summary judgment, or (ii) by stipulation signed by all parties who have appeared. Because the  
defendant has responded to the complaint, the parties must file a stipulated dismissal pursuant to  
Rule 41(a)(1)(ii).

23 If a dismissal is not filed by the specified date, then the parties shall appear in Courtroom  
24 2, 5th Floor, 280 South First Street, San Jose, California 95113 on **September 12, 2023** at 10:00  
25 a.m. and show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P.  
26 41(a). Additionally, the parties shall file a statement in response to this Order to Show Cause no  
27 later than **September 8, 2023** advising as to (1) the status of the activities of the parties in  
28 finalizing settlement; and (2) how much additional time, if any, is requested to finalize the

1 settlement and file the dismissal. If a dismissal is filed as ordered, the Order to Show Cause  
2 hearing will be automatically vacated and the parties need not file a statement in response to this  
3 order.

4 **IT IS SO ORDERED.**

5 Dated: August 9, 2023

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8 VIRGINIA K. DEMARCHI  
9 United States Magistrate Judge

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United States District Court  
Northern District of California